

## JUDGE CAROLE CLARK'S TRAUMA-INFORMED APPROACH TO FAMILY/DRUG COURT

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*ALL RISE: For the Good of the Children*, a documentary from the Karyn Purvis Institute of Child Development at TCU, takes you inside the courtroom of an unconventional East Texas judge who uses a trauma-informed, trust-based approach to healing broken families in the child welfare system. Two families share how they transformed their lives through the support and intervention offered by Judge Carole Clark and her team of lawyers, mental health experts and child advocates. This video companion guide details the trauma-informed practices and approach of Judge Clark's court that was featured in the film.

### OVERVIEW

Under the leadership of Judge Carole Clark, the family/drug court in Smith County, Texas implemented Trust-Based Relational Intervention® (TBRI®) and created a trauma-informed court system that improved the quality of outcomes for children and families.

TBRI® is a holistic, attachment-based, and trauma-informed intervention designed to meet the complex needs of vulnerable children and families. TBRI is comprised of strategies grouped into three evidenced-based principles:

- (a) **Empowering principles** to address biological needs
- (b) **Connecting principles** to build trust and meaningful relationships
- (c) **Correcting principles** to disarm fear-based behaviors

More information about TBRI and the effects of early trauma that compelled Judge Clark to adopt a trauma-informed approach can be found in the following article, which is available for free download at [allriseforchildren.com/resources](http://allriseforchildren.com/resources):

Purvis, K. B., Cross, D. R., Dansereau, D. F., & Parris, S. R. (2013). Trust-Based Relational Intervention (TBRI): A Systemic Approach to Complex Developmental Trauma. *Child & Youth Services*, 34(4), 360-386. <http://doi.org/10.1080/0145935X.2013.859906>

### BACKGROUND

After years of frustration with results of traditional handling of a Child Protective Services Docket, Judge Carole Clark, 321st District Court, Tyler, Texas implemented trauma-informed practices. The primary purpose was to achieve better outcomes for children and families. She also wanted to break family cycles of abuse and negative patterns that passed from one generation to the next.

Judge Clark's shift to a trauma-informed approach began in 2007 after she met Dr. Karyn Purvis. Dr. Purvis (then Director of what is now known as the Karyn Purvis Institute of Child Development at TCU) introduced Judge Clark to the TBRI model that she and Dr. David Cross developed to help

children suffering from the effects of abuse, neglect, and/or trauma. By learning about the impact of early maltreatment and trauma-informed interventions, Judge Clark and her team were empowered to improve the handling of cases of child abuse and neglect with insights from the fields of child development, neurodevelopment, and attachment.

Although there is no single definition of trauma-informed care across systems, this is a commonly cited definition from the National Traumatic Stress Network:

A trauma-informed child-and family-service system is one in which all parties involved recognize and respond to the impact of traumatic stress on those who have contact with the system including children, caregivers, and service providers. Programs and agencies within such a system infuse and sustain trauma awareness, knowledge, and skills into their organizational cultures, practices, and policies. They act in collaboration with all those who are involved with the child, using the best available science, to maximize physical and psychological safety, facilitate the recovery of the child and family, and support their ability to thrive.

With the overriding goal of healthy family reunification, Judge Clark committed to implementing a comprehensive, trauma-informed approach in her court. She focused on recognizing and treating the trauma of each child and parent in an effort to stop the cycle of child abuse.

## OBJECTIVES

Judge Clark focused on developing a trauma-informed court because the parents and children need to heal from their trauma experiences if there is to be a long-term resolution of the issues that required the State's involvement in the first place. The basic components of her trauma-informed court include: (1) meaningful assessments to identify the trauma of all parties, (2) specialized treatment plans tailored to the trauma and trauma-related behaviors, and (3) phase plans to implement treatment and return the children home to a safe and appropriate family. Specifically, the court implemented trauma-informed practices to:

- Improve outcomes for children and families
- Lower recidivism rates within the child welfare system
- Reduce the intergenerational pattern of child abuse and maltreatment

## OUTCOMES

In Judge Clark's court, the use of TBRI principles and trauma-informed practices has been successful in improving outcomes for children and families. It resulted in lower rates of re-victimization of children returning home or receiving in-home CPS services with the Texas Department of Family and Protective Services (DFPS).

Based on five-year outcomes of children in DFPS care in Smith County and the four Texas counties with the most similar numbers of children in care, Smith County had the lowest percentage of reconfirmed victims (Potter County, 22.4%; Tom Green County, 20.4%; Johnson County, 15.8%;

Webb County, 14%; Smith County, 9.4%). Also, based on five-year outcomes, when comparing Smith County and the two Texas counties most similar in child population size, Smith County had the lowest percentage of reconfirmed victims (Jefferson County, 20.7%; Brazos County, 18.9%; Smith County, 9.4% (DFPS Databook, 2018).

Between 2008 and July 2018, Judge Clark had zero jury trials – another indicator of the success of a collaborative approach over an adversarial approach to resolving cases. The court also saw a reduction in the number of contested hearings in most cases.

## TEAM-BASED APPROACH

To implement trauma-informed practices in her court, Judge Clark used a team-based approach. By creating a team of advocates and child welfare professionals with a shared vision and common goals, they have been able to engage parents and improve outcomes for children and families. Key stakeholders on the team include:

- Judge
- Trauma and substance abuse evaluators
- Psychological evaluators
- Child Protective Services (CPS) supervisors
- CPS attorneys
- Parent attorneys
- Children's attorneys
- CASA volunteers
- Mental health providers
- Substance abuse providers

The team meets at least once a month to discuss court processes and related issues. Specific cases are not discussed. New providers or other visitors who would like to provide services are given an opportunity to present their services and the team then determines if the services are aligned with the court's trauma-informed practices.

## TRAUMA-INFORMED TRAINING FOR THE COURT

Judge Clark's intent is for every person who provides any service to the CPS children or parents served by her court to be aware of the impact of trauma, and to be trained in trauma-informed practices. The level of training required depends on the services provided.

Smith County has several people who have been trained extensively in the TBRI model and who are able to train others. Many professionals from Judge Clark's court (including attorneys, trauma evaluators, mental health providers, etc.) have completed the Karyn Purvis Institute of Child Development's TBRI Practitioner Training. It is recommended that a representative from each agency be trained so that they can train others within their organization.

Providing trauma-informed training to so many professionals working with the court has helped to create a support network for the practitioners, strengthen the team, and expand the trauma-informed services and resources available to the parents and children.

### **THREE-PHASE SERVICE PLANS**

In Smith County, Judge Clark and her team worked with CPS to institute three-phase service plans (Address the Safety Risk, Address the Trauma and Parenting Issues, and Monitored Return). A Family Group Conference is convened before the service plan goes into effect.

The client must complete the phases in the correct order to gain the most benefit. For example, a psychological evaluation cannot provide a valid result unless the client has been drug free for at least 90 days. Further, lack of sobriety for a significant length of time impedes the client's ability to learn from parenting classes and other types of trainings that are offered.

Judge Clark approves the phased service plans pursuant to the Texas Family Code requirements for plans of service. They are entered as a court order to satisfy the legal component of the process. CPS continues to prepare the traditional computerized service plans and records all the same details for services on the form required to comply with federal regulations. This system requires court orders and enforcement, and participation by both CPS and the parent.

Each parent or party is required by the court to complete all three phases prior to dismissal of the case. The progress of the plans is addressed at every hearing, and a copy of the signed plan is provided to all parties prior to the hearing. Depending on the needs of the client, plans may be modified or changed by agreement of the parties with the court's approval.

These three-phase service plans were adopted to allow for incremental success by parents, simplified instructions, and easier monitoring by the court. The phases are designed to address the needs of the parent and child with the understanding that all parties have experienced a level of trauma that affects their ability to multi-task and achieve success. This trauma-focused approach allows the Court to address specific needs of the clients while allowing for adequate support and timely intervention.

In addition, the court gains a better understanding of progress by monitoring the status of each phase. The phases are set up to be completed within the 12-month period, however, more time may be required based on the parents' history (i.e., parents who were victims of abuse and neglect and/or have long histories of trauma may take longer) and/or if the case meets the guidelines for extension. The court can ask for additional plans to be developed when a lack of progress is shown. For example, if the client is still in Phase 1 at the 9 month mark, the court may look for a Plan B option since it is likely the services will not be completed prior to the deadline of the case and in conjunction with the need for permanency for children within a certain timeframe.

Details of the family group conference and each of the three phases are provided below.

## FAMILY GROUP CONFERENCE

In Smith County, a Family Group Conference (FGC) takes place before the first hearing (Adversary Hearing) which is within approximately two weeks of removal of the children. An FGC is a structured meeting with the parents, relatives, friends, partners, or other stakeholders to develop a plan for the safe care and protection of the child involved. The ‘team members’ from Judge Clark’s court who are assigned to that family are present, and they articulate that the goal is reunification within the 12-18 month period mandated by state law.

This early meeting sets the tone for the case, and is scheduled as soon as possible after CPS removes the children (ideally the next day). An abrupt, forceful removal creates more trauma and ramps up fear and anger for both parent and child, causing more distrust of the system. Therefore, Judge Clark also worked with CPS to create specially trained removal experts who use trauma-informed practices during the removal process itself to lower fears and stress. They (rather than the investigator) step in to work with the family and begin setting the tone for how this process will be different than what they may have experienced in the past. Then, when they come to court, the process is explained in further detail.

By setting goals and expectations in a trauma-informed manner, everyone involved moves from a punitive and power-based approach to one that is respectful of the parents, and with a recognition of what brought the children into state custody. The message conveyed by the team is that success is expected and for that to happen, everyone on the team, including the parents, must do their part.

### Below is a list of goals for the Family Group Conference:

- o Assess the family’s needs and discuss the need for CPS involvement. The initial meeting will include parents and other family members, attorneys, CPS, and CASA.
- o Develop rapport between family and investigative and removal staff.
- o Reduce parent fears by ensuring the parent(s) understands that the goal of the process is to provide a safe and healthy environment for their child and reunification with their children, and that the court team is there to help achieve that goal.
- o Convince the parent(s) that they will achieve the best outcomes by taking advantage of the court-mandated services.
- o Empower all parties, especially the parents and family, to better understand why CPS is involved and what the CPS plan is going forward.
- o Discuss the case in detail and have the attorneys explain and prepare the family for what will happen at the initial court hearing.
- o Discuss CPS’ timeline for the case (i.e., families have 12 months initially but may seek a six-month extension, etc.).
- o Outline the three-phased approach employed in Smith County. Discuss the focus of each phase and what contact parents will have with their children during the process.

## PHASE 1: ADDRESS THE SAFETY RISK (GETTING CLEAN AND SAFE)

### Approximately 3 months, Supervised Visitation with Children

The primary presenting issue in Judge Clark's court is drug abuse. Some cases present with other issues (e.g., mental health, intellectual disabilities, severe physical disabilities of parents and/or children, etc.), but most cases are drug-related. In these cases, the first step is for the parent who was involved in the non-protective situation that required removal to undergo a risk assessment. This should be performed by a trauma-informed clinical social worker, licensed professional counselor, or drug counselor.

#### The assessment, at a minimum, includes:

- o SASSI (Substance Abuse Subtle Screening Inventory) - The SASSI questionnaire is used as a drug and alcohol abuse assessment. This screening instrument helps the assessor determine what substance abuse treatment, if any, is appropriate. The treatment determination is guided by the four levels of care developed by Dr. Douglas Marlowe of the National Association of Drug Court Professionals. His categorization is commonly used nationwide in drug courts, and this model is used as part of the assessment portion of the program in Smith County. Every person who presents to the court with a drug issue receives an assessment and treatment recommendations.
- o Adverse Childhood Experiences (ACE) Questionnaire - This self-reporting tool is used to identify childhood trauma. The higher the ACE score, the higher the risk for health, social, and emotional problems.
- o Interview - An interview is conducted in conjunction with the use of self-reporting tools to identify any history of trauma and trauma-related issues.

After assessment, CPS submits an individualized service plan for Phase 1 with input from all involved and the court reviews it.

Parents receive supervised visitation with children during this phase. They are explicitly told what they need to do to start the process of reunification, and they are also given the option of a quick start, in which they can begin services within two weeks of their child's removal (as opposed to 60 days at the status hearing, which is standard practice in many other courts).

It is important to note that visitation during this phase remains necessary to continue the child's connection to their parent. Unless it is unsafe or detrimental to the child's wellbeing, the court will always allow the visitation to encourage and maintain the vital parent-child relationship.

## PHASE 2: ADDRESS THE TRAUMA AND PARENTING ISSUES

### Approximately 6 months, Unsupervised Visitation with Children

During Phase 2, parents can begin unsupervised, therapeutically informed contact with their children. Phase 2 begins after the parent completes drug treatment and/or addresses other acute issues. Parents undergo a psychological exam, administered by a trauma-informed psychologist to determine if there are mental health issues that need to be addressed. These examinations are invalid unless the parent has been drug and alcohol free for at least 60 days.

The trauma and mental health issues are addressed in individual counseling and trauma group. A narrowly tailored plan to specifically address a parent's core trauma is necessary to allow the parent to deal with the issues that brought CPS into their lives, and to begin to recognize and prevent those issues from happening again. This is intensive work that takes time. It should not be rushed. All available counseling and services/programs should be utilized.

The primary trauma-informed interventions, programs, and counseling services used by Judge Clark's court include:

- **Trust-Based Relational Intervention (TBRI)** – A holistic, attachment-based, trauma-informed intervention that reduces the effects of trauma (Purvis, Cross, Dansereau, & Parris, 2013).
- **Circle of Security® (COS)** – An intervention based on attachment theory that educates caregivers in becoming more responsive to their children's needs (Yaholkoski, Hurl, & Theule, 2016; CEBC, 2018a).
- **Brain Gym** – Calming techniques through movement ([www.braingym.org](http://www.braingym.org)).
- **Eye Movement Desensitization and Reprocessing (EMDR)** – Evidence-based psychotherapy treatment designed to reduce trauma symptoms (CEBC, 2018b,c).
- **Fostering Connections (Texas DFPS program)** (see Fostering Connections to Success and Increasing Adoptions Act of 2008).
- **Trauma Counseling Sessions** – Performed by a TBRI Practitioner.
- **Group Therapy** – TBRI-based trauma group therapy (one hour per week) includes everyone in phase 2 for as long as their case is open. Some clients continue with group therapy after their case is closed or return to mentor others.

During this phase, parents also continue with substance abuse support services (e.g., AA, NA, Celebrate Recovery, etc.). The client should attend after-care programs with emphasis on people, places and things that trigger them and hinder recovery. Sponsors and a support system should take shape. Often, there is a requirement that the parent complete 90 meetings in 90 days, obtain a sponsor and begin working a 12-Step Program.

Employment and housing are secured. For this client population, these are often challenging tasks. Parents should also work on building what Judge Clark's team calls "intentional family" – people in the client's support network (including mentors and other parties in the court) who can be called on during stressful times.

As parents achieve small successes, build their positive support networks and gain independence from influences of negative people, places and things, the number of visitations should increase and transition to include unsupervised visitation. This gives parents something to strive for, and once achieved, motivates them to continue making positive changes.

Relapse is not uncommon in this phase. As parents identify their own traumatic experiences and begin to realize the trauma that they created for their children, they begin to heal but it is a painful process. If a relapse occurs, the parent should begin the steps again, get clean, seek counseling from a provider who understands issues that arise from trauma, and continue to build their support network. While a Plan B should be started, relapse should be met with supportive encouragement.

### **PHASE 3: MONITORED RETURN**

#### **Approximately 3 months, Monitored Return of Child to Parent**

Phase 3 sees the monitored return of the child with the approval of all those involved including the court. During this time, parents continue recovery work if indicated. A relapse prevention plan should be firmly developed. All steps in recovery should be started and/or completed. The client should have a sponsor or sobriety support network in place. The court will only order a monitored return of the child if it believes the child can be returned to the parent safely.

Housing and employment need to be maintained. At this stage, the counseling may level off and become less frequent. The client then has more time to focus on a job, real life responsibilities and expectations. Transportation is often an issue in these cases. Parents should work this issue out prior to the child being returned. Whether the need is a reliable ride, public transportation, or valid license to drive, the parent must demonstrate they can handle these responsibilities.

Parents should be aligned with/ and provided a mentor group. This group should provide both meetings and positive role modeling for the parent. The group should be a resource when issues arise, and should play a part in helping the parent deal with responsibility they have previously not known. Most of these parents have had very poor role models in the past. It is important that this resource is available moving forward so that they can see how appropriate parenting is handled.

Parents also receive in-home coaching from a trauma-informed counselor to help them practice the parenting skills learned in Phase 2. These parenting skills are implemented when the children and parents are reunited, and assistance is critical because these are new for both the parents and the children.

During this phase, parents are expected to be able to articulate what they have learned, what they are doing to support their recovery and stay clean, and what parenting strategies they are using to provide a safe and healthy environment for their children.

## Court Hearing Process

Each member of the team, including the Judge, has legal and ethical duties and responsibilities to the court system. Being trauma-informed and having all team members operate within that framework is what makes the trauma-informed system in Judge Clark's court work.

During all court hearings, Judge Clark tells the parent(s) that the first hope of the court is to reunite them with their children. However, she will also tell the parent(s) that their parental rights are subject to restriction or termination if they are not willing and able to provide their children with a safe home, and that "we want your child to have a happy, healthy, safe home."

The judge then asks the parent(s) questions about their children and their own progress. Parents are expected to articulate to the judge what they are learning from their services and counseling. Typical questions may include:

- Tell me about your week, how is your application for transitional housing/job search/job going?
- Tell me about your parenting class this week, what did you learn?
- Tell me about your son/daughter, how was your time with them this week?
- How did you feel about your interactions with your child?
- Do you need anything from us this week?

Members of the court team support parents throughout the process, which is reinforced by the judge who compliments the parent(s) for every step of their individualized service plan they complete successfully. When the judge hears positive news, he/she provides positive encouragement such as "I'm so proud of you for staying sober," and she may end the session with "good for you" and a thumbs up or a handshake that gives parents a personal connection to the judge.

The judge asks attorneys about the children and the parent(s) and requires that they visit the child separately in their current living environment and not just rely on a report from a CPS or volunteer CASA worker. This is a critical aspect of the trauma-informed approach because it forces the team to keep the children's needs at the forefront of decision-making. Typical questions may include:

- How is the child doing?
- How are the child's interactions with the parent?
- What resources might be needed for the children/foster parents?
- What is the status of the parent(s) regarding their assigned programs?

The judge assesses parents' ongoing needs (physical and psychological) and determines how to best meet those needs. Progress on the services is reviewed at each hearing, and the parties involved discuss any disputes over a lack of progress prior to court. If a disagreement over completion occurs, then it is brought to the court's attention. Otherwise, the court receives a progress report that says parents are in compliance.

Settlement Conferences/Mediation – If the court sees that after six months there is little progress on the phases (i.e., still in Phase 1), the court can order a settlement conference or mediation to develop Plan B. At this stage, the requirements for the parents have been very clear, the child's need for stability is increasing, and CPS can make a decision as to placement. However, in the context of using these three-phase plans, mediations often turn up placements previously not known, especially when a parent acknowledges they never got out of Phase 1.

## **BENEFITS OF JUDGE CLARK'S THREE-PHASED SERVICE PLANS**

The benefits of the three-phased service plans were transformative in the 321st District Court. Some of the reasons this approach has been effective in Judge Clark's court include:

- The sequence of services sets the stage for success. Parents first address the safety risk before trying to address other issues. Only when they are able to move to the next phase, do they learn about trauma and how they and their children are affected by their past traumatic experiences. At that point, trauma-informed services are provided to help parents begin to heal, to learn effective parenting skills, and to understand their children's needs for safe and secure attachments. Finally, they put all the pieces together to equip parents with better coping skills when stressful situations arise in the future. Scaffolding strategies (providing guided support appropriate to the parent's level to facilitate learning) are used to empower parents to provide safe and healthy environments for their children.
- The parents have a better understanding of the court process and the requirements for reunification. They are told at the beginning of the case what is required and why. At each phase, the parents are informed of the steps that all of the stakeholders will take to make sure they are successful. If they choose not to do the steps, then they are told that the team begins to seriously look at Plan B. Having a clearly communicated process increases the chances of successful program completion and reunification.
- Families experience more lasting, positive changes because the underlying trauma has been addressed. Before implementing the three-phase approach, parents were able to complete the services in the order they chose. Consequently, the services may or may not have been meaningful. Judge Clark's team calls this haphazard approach "checking the boxes." The services were not designed or coordinated to most effectively address substance abuse issues or trauma-related behaviors. Parents could "white knuckle" it long enough to get their children returned under the traditional plans, but they often repeated the entire process because the issues were not resolved.

- Phase plans are short and concise. This makes the list of tasks more manageable and less overwhelming for the client. Adults and children alike who are involved in the child welfare system are dealing with some form of trauma (even if it is just the removal itself). A traumatized brain has difficulties with concentration and processing information. Complicated service plans compound the problem and often lead to parents' failure in the system, so Judge Clark's court has found this simpler plan to be more effective in managing communications.
- Everyone understands what the client should be doing and can monitor compliance. The court is required to oversee this case on a regular basis. One of the main items to consider is the progress of the parents towards providing a safe and secure home. By focusing everyone's attention on the more limited task approach, the court can sharpen the dialogue at the hearings.
- Phase plans can be modified as circumstances change (such as pregnancies, boyfriend/girlfriend/relapse) with input from the team.
- Phase plans are clear enough that in the event a case must go to trial, there would be no question about what was required and what was completed.

## FINANCIAL SUPPORT

Additional funding is required in order to offer the assessments and trauma-related programs/trainings available through Judge Clark's court. The 321st District Court has received supplemental support from the following:

1. Drug court grants—The court in Smith County has received annual grants from the Office of the Governor of Texas. Grant funds were used to pay for the gate-keeping assessments for every CPS client whose children were removed as a result of drug-related issues.
2. Private foundations - The court received grants from a local private foundation that supports trauma-informed training for court team members and in-home care for reunited families.
3. CPS - When grant funding is limited, the court has ordered CPS to pay for services. Officials with the U.S. Department of Justice advised the team that parents in CPS can be categorized as disabled because they have one or many disabilities, i.e. substance abuse, ADD, ADHD, etc. As a result, any service required by a court to assist a parent in reunification services must be paid for by the court and not by the client. The Department has authorized 'special services contracts' to address this one-time need for clients, and thus, can be utilized for the clients.
4. Scholarships - The court qualified for and received scholarships for select trauma-informed trainings for its team members.

## FEATURES OF JUDGE CLARK'S TRAUMA-INFORMED COURT

There are a number of key features of Judge Clark's trauma-informed court that differentiate it from other traditional family courts:

- **Whole team is trauma-informed**

Everyone who works with the court in any capacity receives some level of TBRI training. This helps to create a common language with everyone on the court team, including the parents, who are also receiving training.

- **Culture of collaboration and trust**

There is cooperation and communication in the court, a precedent set by the judge. All professionals involved in the service plan share their information with the team. Every step in the process is designed to build mutual trust -- not only between the court and the families, but also between court personnel -- so that families and the court team are assured that everyone is working together to achieve the best outcome for the children, which in most cases is keeping the family together.

- **Three-phase plans**

Individualized Phase Plans are created to meet the unique needs of each parent.

- **Parents and children are given a voice in the process**

In this court, the attorneys and the parents are active participants. The judge addresses the parents directly. Parents feel safe enough to be vulnerable and talk about their struggle without fear of an unreasonable penalty, but know they will still be held accountable.

Texas law requires children to be brought to court hearings. This practice can further traumatize a child on many levels. Instead of subjecting the child to this kind of stress and harm, Judge Clark meets with children privately in her chambers and encourages them and their attorneys to express their needs. Furthermore, to ensure the child's voice is not lost in the process, she requires all parties representing the children (attorney, ad litem, CPS, CASA) to show her pictures of the children and give her ongoing detailed reports about the children's home and school environments, and all medical and mental health services they are receiving throughout the case.

- **Accountability**

The court team is responsible for gathering the information needed to develop appropriate service plans and to provide parents with the services that will help them heal and provide a safe home for their children. Parents are responsible for implementing the skills they are being taught.

- **Non-Punitive**

The judge wants to know if the parents are getting their needs met and is genuinely concerned about how they are doing rather than just checking boxes. Instead of punishing the parents, this three-phase system supports parents in their healing process and the process of reunification.

Unfortunately, not every case is successful and the children are not always reunited with their parents. However, the goal is to make the parent feel they were given the treatments, support, and opportunities

to succeed. If children must go somewhere besides home with the parent, that decision has been discussed by all team members and is based on clearly identifiable criteria, i.e. the phase plan.

The children's history, the family's history, and the parent's history inform settlement negotiations. If parents have a relapse with drugs or alcohol, it can become a learning experience instead of an automatic relinquishment of their rights. In instances when parents relinquish their rights they have had the reasons articulated on many occasions.

- **Fewer contested hearings and trials**

The judge wants all team members to bring solutions to the court hearings and not just problems. Judge Clark may not always accept the solution brought before her, but it provides a basis for robust discussion among the parties prior to a court hearing. The team members collaborate and discuss the issues pending before the court (i.e., what is in dispute, what has been done to address it, and what is the issue the court must decide). Being able to compromise and work out solutions prior to a court hearing generally provides better outcomes because each party has had a voice in the solution. When the parties cannot offer a joint proposed solution, the judge resolves the dispute. In this collaborative environment, attorneys can advocate for their clients while also minimizing and/or avoiding the adversarial contested hearings and jury trials that are more common in other courts.

- **Acquire resources to meet needs**

Because the judge mandates some services that are not typically paid for by the state, Judge Clark applies for grants, seeks out community resources, and asks for increased budgeting for resources from the appropriate authorities.

- **Connection and relationships**

TBRI principles are used to build healthy relationships between parents and children, and between the court team and the families. Even if a child is not permanently placed with the parent, the team explores every option to allow a future relationship with the parent in a healthy and safe way.

- **Open adoption/placements/transfer of custody to a third party**

In cases where reunification is not possible, the team develops a plan that is as close to reunification as possible, by utilizing transfer of custody to family, friends, open adoptions, or finding creative solutions.

## CHALLENGES

Implementing TBRI and trauma-informed practices constituted a fundamental shift in perspective and practices, and Judge Clark and her team encountered a number of challenges including:

- **Training personnel**

It is important that everyone who works with this court in any capacity has had some level of TBRI training, understands the impact of trauma, and is well versed in TBRI. This includes CPS, private and public attorneys, court bailiff, court reporters, etc. As a result, the judge has to make trauma-informed trainings available to key stakeholders and present opportunities to teach trauma-informed practices to the entire court team (e.g., book club, brown bag lunches).

- **High turnover rate of child welfare professionals**

The court needs to deal with the high turnover rate of child welfare professionals and the negative impact of these disrupted relationships on children and their parents. It is difficult to keep all of the team members adequately trained when there is a high rate of workforce turnover in child welfare settings. In addition, it is hard for parents and other members of the court to establish and maintain trust with a revolving door of caseworkers.

- **Funding/finding resources**

State funding is normally provided by contracts, which is often inadequate to obtain the type of resources required. Moreover, new providers and programs are not on the state's contracting system. The court tries to find resources the parents, relatives, and children need (e.g., beds for kin who have agreed to keep children, diapers, expert help, etc.) and makes sure all team members have the information. The court also works to secure additional funding each year from drug court grants, private foundations, etc. However, annual grants are not guaranteed, so this is an ongoing challenge.

- **Lack of providers**

Currently, there is a lack of trauma-informed providers. The judge and team members are always looking for new, like-minded providers and then they train them.

- **Not understanding the approach**

Traditionally, attorneys and judges may have thought it was impossible to have a non-adversarial system and also be effective in their positions. The idea of working as a team with a trauma-informed approach to create a service plan that helps both parents and children and reunites the family is perceived as being diametrically opposed to the traditional system. It is not. The law mandates the courts to act in the best interest of the child. So does this court. Judge Clark and her team believe that helping a parent become safer, healthier and better skilled at meeting a child's needs is in the best interest of the child and thus, the two go hand in hand.

The court understands and respects the ethical obligations of each team member and the need for contested court hearings and trials when warranted. However, implementing this system encourages communication, and oftentimes that communication can resolve what otherwise might lead to a contested matter. The child welfare system is complex and CPS workers face heavy caseloads. Open and effective communication helps address issues and leads to better outcomes.

- **Honesty is the best policy**

A key component to the trauma-informed approach is to not punish those involved in the system. While that is especially true for the parents and children, it also applies to the court team. Relapse and bad habits of the parents are met with openness and encouragement – not condemnation – to facilitate honest dialogue about the issue. “If you mess up, fess up...” The same is true for the behaviors of the child. The team realizes through their trauma education that the child should not be punished for behaviors that are merely a result of traumatic experiences. However, also challenging, is honest dialogue among court team members, who have traditionally been on opposing “sides.”

In this system, if a caseworker has failed to initiate a service, or an attorney has missed an appointment or not done an order previously requested by the court, that team member, whether attorney, provider or caseworker, is also met with non-punitive encouragement. This increases the openness, frankness and cooperative working relationships among team members. There is no hide behind the law, or sabotaging with information in these cases. For example, if a client tests positive, the caseworker and CPS attorney contact the parent's attorney right away. They do not wait to ambush that attorney and parent in front of the court. Instead, parents are given an opportunity to fess up themselves, and are met with encouragement. The team members also follow this same expectation.

- **Change is difficult**

To implement Judge Clark's program requires a different mindset. It involves changing to a belief system that values all parents and children, sets higher expectations for success, and respects children's need to be connected with their parents. The basic premise is that every child deserves his/her own parent, and that parents need to be made safe and whole to end the intergenerational cycle of abuse.

- **More upfront investment of time**

It takes an upfront investment of work and collaboration between all parties to create individualized service plans for each case. This includes narrowing the issues to reach an agreement before the hearing, if possible. However, this investment saves everyone time and energy throughout the process and leads to better outcomes.

## SUMMARY

In summary, a trauma-informed court helps reduce further trauma to parents and children in the court process and leads to positive long-term effects for families and society. By breaking the cycle of trauma, the system is building stronger families with parents who are less likely to return to welfare and criminal systems, which saves state and local resources in the long run and benefits society as a whole.

TBRI strategies are found throughout all steps of this trauma-informed court. The court advocates for both parents and the children. Key players work as a team, not as adversaries. There are more compromises, reducing the need for expensive and time-consuming contested court proceedings. In addition, when parents become active participants and embrace the process, they view the court system as more fair and feel less anger. Parents leave the process empowered to provide a safe and happy home for their children that will last into the future.

*\*Note to readers: Judge Clark retired in December 2018. However, we hope that the lessons learned and positive impact of this court's efforts will serve as a model to other courts seeking to implement a trauma-informed court system.*

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